

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

MEMORANDUM and ORDER

This pro se prisoner's civil rights action, 42 U.S.C. § 1983, is before the Court on Plaintiff's failure to meet the deadline for responding to the Court's order [Doc. 7]. The order directed Plaintiff to show cause as to why he had failed to achieve service on Defendants or even to attempt to serve process on them [*Id.*]. The order also warned Plaintiff that his failure timely to show cause would result in the dismissal of his case for want of prosecution. Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962) (recognizing a court's authority to dismiss a case *sua sponte* for lack of prosecution); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). Thus, this case will be dismissed for failure to prosecute. In view of the reason for this dismissal, the Court **CERTIFIES** that any appeal from the judgment of dismissal would not be taken in good faith. *See* Fed. R. App. P. 24. Accordingly, should Plaintiff file a notice of appeal, he also must pay the full appellate filing fee of five-hundred, five dollars (\$505.00) or submit a motion for leave to appeal *in forma pauperis* and any required supporting documentation.

Finally, the Clerk is **DIRECTED** to close the file.

AN APPROPRIATE JUDGMENT WILL ENTER.

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE